

CHAPTER 137

**LABOR AND INDUSTRY**

HOUSE BILL 20-1395

BY REPRESENTATIVE(S) McCluskie and Ransom, Esgar;  
also SENATOR(S) Moreno and Rankin, Zenzinger, Crowder.

**AN ACT**

**CONCERNING THE REPEAL OF THE "SKILLED WORKER OUTREACH, RECRUITMENT, AND KEY TRAINING ACT" GRANT PROGRAM, AND, IN CONNECTION THEREWITH, ELIMINATING NEW GRANTS UNDER THE GRANT PROGRAM, TRANSFERRING THE BALANCE OF THE GRANT PROGRAM FUND TO THE GENERAL FUND, REQUIRING A FINAL REPORT ON THE GRANT PROGRAM, AND REDUCING AN APPROPRIATION.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 8-83-304, **amend** (2) and (5) as follows:

**8-83-304. Skilled worker outreach, recruitment, and key training grant program - creation - award criteria.** (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, the department shall start accepting grant applications for matching grants by January 1 of each year; shall award grants pursuant to section 8-83-305 within ninety days, but no later than the April 1 following the application submittal deadline; and shall issue grant awards to recipients within forty-five days after notifying the award recipients of the grant award.

(b) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2), AS AMENDED, THE DEPARTMENT SHALL NOT ACCEPT GRANT APPLICATIONS, AWARD GRANTS, OR ISSUE GRANT AWARDS.

(5) The department ~~shall~~ **MAY** disburse all of the ~~moneys~~ **MONEY** in the fund that ~~are~~ **IS** approved for a matching grant pursuant to section 8-83-305 to the eligible applicants selected in accordance with said section.

**SECTION 2.** In Colorado Revised Statutes, 8-83-305, **amend** (2)(c) as follows:

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

**8-83-305. Skilled worker outreach, recruitment, and key training grant review committee - creation - membership - duties - grant award recommendations.** (2) (c) (I) After reviewing the grant applications and subject to subsection (2)(c)(II) of this section, the grant review committee shall make recommendations about which eligible applicants should be awarded matching grants and the amounts of the matching grants. Recommendations shall be based on the committee's determination as to which eligible applicants best satisfy the grant criteria pursuant to subsections (2)(a) and (2)(b) of this section. The grant review committee shall submit its recommendations to the executive committee of the council, which includes the executive directors of the departments of labor and employment and higher education and the director of the office. After considering the grant review committee's recommendations and subject to subsection (2)(c)(II) of this section, the executive committee shall determine to whom and in what amounts to award matching grants. EXCEPT AS PROVIDED IN SECTION 8-83-304 (2)(b), grants shall be awarded within ninety days, but no later than the April 1 following the application submittal deadline, and, to the extent possible, the department shall issue the grant awards within forty-five days after notifying the award recipients of the grant awards.

(II) For the 2018-19 AND 2019-20 ~~and 2020-21~~ STATE fiscal years, the grant review committee shall ensure, to the extent possible, that it recommends matching grant amounts, and the executive directors and director of the office shall ensure, to the extent possible, that they award matching grants, in accordance with the allocation of available money in the WORK fund specified in section 8-83-307 (3)(b).

**SECTION 3.** In Colorado Revised Statutes, 8-83-306, **amend** (2) as follows:

**8-83-306. Reports.** (2) (a) By December 31, 2018, and by each December 31 thereafter THROUGH DECEMBER 31, 2020, the grant review committee shall submit, as part of the Colorado talent pipeline report prepared pursuant to section 24-46.3-103, an annual report to the governor, the senate committee on business, labor, and technology or its successor committee, and the house of representatives committee on business affairs and labor or its successor committee. The grant review committee shall include in the report at least the following information:

~~(a)~~ (I) The number of matching grants awarded in the prior year, including the amount, recipient, and duration of each grant;

~~(b)~~ (II) The number of individuals who enrolled in and completed a skilled worker training program offered by each grant recipient;

~~(c)~~ (III) The number of individuals who obtained employment in a position that uses the skills for which they were trained through a skilled worker training program offered by a grant recipient; and

~~(d)~~ (IV) Other information obtained from grant recipients pursuant to subsection (1) of this section.

(b) BY AUGUST 31, 2021, THE GRANT REVIEW COMMITTEE SHALL SUBMIT A FINAL REPORT TO THE GOVERNOR, THE SENATE COMMITTEE ON BUSINESS, LABOR, AND

TECHNOLOGY OR ITS SUCCESSOR COMMITTEE, AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON BUSINESS AFFAIRS AND LABOR OR ITS SUCCESSOR COMMITTEE THAT INCLUDES THE INFORMATION SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION:

(I) FOR EACH YEAR OF OPERATION OF THE GRANT PROGRAM; AND

(II) AS A TOTAL IN EACH CATEGORY SPECIFIED, REFLECTING THE OVERALL RESULTS OF THE OPERATION OF THE GRANT PROGRAM.

**SECTION 4.** In Colorado Revised Statutes, 8-83-307, **amend** (3)(a) and (5) as follows:

**8-83-307. Skilled worker outreach, recruitment, and key training grant program fund - creation.** (3) (a) For the 2018-19 AND 2019-20 ~~and 2020-21~~ STATE fiscal years, the general assembly shall appropriate a total of ~~seven million six hundred thousand~~ FOUR MILLION THREE HUNDRED THOUSAND dollars to the fund, of which not more than three million three hundred thousand dollars may be appropriated in any given STATE fiscal year.

(5) ~~THE STATE TREASURER SHALL TRANSFER any unexpended and unencumbered money remaining in the WORK fund at the end of a fiscal year remains in the fund and shall not be credited or transferred ON SEPTEMBER 1, 2020, to the general fund. or another fund. Unexpended and unencumbered money from an appropriation made pursuant to subsection (3) of this section remains available for expenditure by the department in the next fiscal year without further appropriation~~ IF, AS OF SEPTEMBER 1, 2021, THERE IS ANY UNEXPENDED AND UNENCUMBERED BALANCE REMAINING IN THE WORK FUND, THE STATE TREASURER SHALL TRANSFER THE REMAINING BALANCE TO THE GENERAL FUND.

**SECTION 5.** In Colorado Revised Statutes, **add** 8-83-307.5 as follows:

**8-83-307.5. Repeal.** THIS SECTION AND SECTIONS 8-83-301 TO 8-83-307 ARE REPEALED, EFFECTIVE SEPTEMBER 30, 2021.

**SECTION 6.** In Colorado Revised Statutes, 8-83-308, **add** (3) as follows:

**8-83-308. Colorado state apprenticeship resource directory - collection of apprenticeship program information - promotion of public awareness - definitions.** (3) AS USED IN THE SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "APPRENTICESHIP PROGRAM" MEANS A COLORADO-BASED APPRENTICESHIP TRAINING PROGRAM THAT IS REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP.

(b) "INDUSTRY" MEANS EITHER ONE OR MORE INDIVIDUAL EMPLOYERS OR AN INDUSTRY ASSOCIATION.

**SECTION 7.** In Colorado Revised Statutes, 40-5-107, **amend** (2)(e) and (3)(b) introductory portion; and **add** (4) as follows:

**40-5-107. Electric vehicle programs - definitions - repeal.** (2) When considering transportation electrification programs and determining cost recovery for investments and other expenditures related to programs proposed by an electric public utility under subsection (1) of this section, the commission shall consider whether the investments and other expenditures are:

(e) Reasonably expected to stimulate innovation, competition, and increased consumer choices in electric vehicle charging and related infrastructure and services; attract private capital investments; and utilize high-quality jobs and skilled worker training programs; ~~as defined in section 8-83-303;~~

(3) (b) For all electric vehicle infrastructure or charging stations owned by the utility, the utility shall use utility employees or qualified contractors if the contractors' employees have access to an apprenticeship program as defined in ~~section 8-83-303(2)~~ SECTION 8-83-308 (3)(a). This apprenticeship requirement does not apply to:

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "INDUSTRY" MEANS EITHER ONE OR MORE INDIVIDUAL EMPLOYERS OR AN INDUSTRY ASSOCIATION.

(b) (I) "SKILLED WORKER TRAINING PROGRAM" MEANS AN ACCREDITED EDUCATIONAL, OCCUPATIONAL EDUCATION, AS DEFINED IN SECTION 23-60-103 (2), APPRENTICESHIP, OR SIMILAR TRAINING PROGRAM THAT:

(A) TRAINS OR RETRAINS INDIVIDUALS TO PERFORM A SKILL THAT IS NEEDED IN THE WORKFORCE; AND

(B) AWARDS AN INDUSTRY- OR STATE-RECOGNIZED CERTIFICATE, CREDENTIAL, ASSOCIATE DEGREE, PROFESSIONAL LICENSE, OR SIMILAR EVIDENCE OF ACHIEVEMENT UPON COMPLETION OF THE PROGRAM.

(II) "SKILLED WORKER TRAINING PROGRAM" DOES NOT INCLUDE AN EDUCATIONAL PROGRAM THAT AWARDS A BACHELOR'S OR HIGHER DEGREE UPON COMPLETION OF THE PROGRAM.

**SECTION 8. Appropriation - adjustments to 2020 long bill.** (1) To implement this act, appropriations made in the annual general appropriation act for the 2020-21 state fiscal year to the department of labor and employment for use by the division of employment and training are adjusted as follows:

(a) The general fund appropriation to the skilled worker outreach, recruitment, and key training grant program fund is decreased by \$3,300,000; and

(b) The reappropriated funds appropriation from the skilled worker outreach, recruitment, and key training grant program fund created in section 8-83-307, C.R.S., for the skilled worker outreach, recruitment, and key training grant program is decreased by \$3,300,000, and the related FTE is decreased by 2.0 FTE.

**SECTION 9. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 26, 2020